

72.15 FY1

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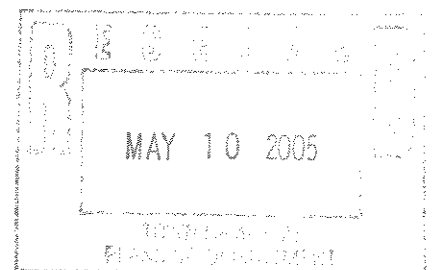
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PLANNING BOARD

Highway



**SELECTMEN'S MINUTES
APRIL 4, 2005**

6:00 P.M. – Faculty Dinning Room ABRHS

All Board members present as well as Town Manager and Asst. Town Manager. This was not televised.

CITIZEN'S CONCERNS

None

PUBLIC HEARINGS & APPOINTMENTS

None

SELECTMEN'S BUSINESS

GENERAL PRE-TOWN MEETING DISCUSSION AND MATERIALS – The Board discussed the materials provided by staff.

STATE-OWNED LAND, ROUTE 2 – The Board discussed the Surplus Land notice recently received.

JUNE 13, 2005 SPECIAL TOWN MEETING –Chairman Hunter discussed the make-up of intended articles for the subject meeting.

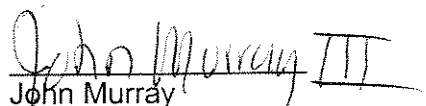
CONSENT AGENDA

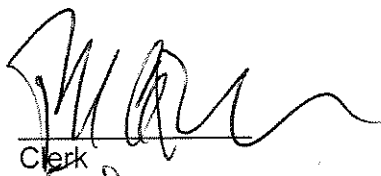
TREY SHUPERT – Moved to approve. BOB JOHNSON – second UNANIMOUS VOTE

TOWN MANAGER'S REPORT

EXECUTIVE SESSION

Not Required


John Murray
Recording Clerk


Clerk
5-9-05
Date

April 4, 2001

TO: Board of Selectmen
FROM: F. Dore' Hunter, Chairman
SUBJECT: Selectmen's Report

AGENDA

April 4, 2005

6:00 P.M. – Faculty Dinning Room ABRHS

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

None

III. SELECTMEN'S BUSINESS

1. **GENERAL PRE-TOWN MEETING DISCUSSION AND MATERIALS**
2. **STATE-OWNED LAND, ROUTE 2** – Enclosed please find materials in the subject regard, for Board consideration.
3. **JUNE 13, 2005 SPECIAL TOWN MEETING** –Chairman Hunter wishes to discuss the make-up of intended articles for the subject meeting.

IV. CONSENT AGENDA

4. **REQUEST FOR USE OF NEW VIEW FUNDS** – Enclosed please find a request from Acton Community Housing Corporation (ACHC), for Board consideration.
5. **ACCEPT DONATION** – Enclosed please find a request from the Recreation Director for acceptance of items for the Recreation Department's Family Fitness Project from Evergreen Martial Arts, LLC. of Concord
 - 5 One month free tuition for Wah Lum Kung Fu group classes valued at \$80.00 each
 - 5 One Half Hour private class in T'ai Chi, valued at \$30.00 each
 - 1 Free admission certificate valued at \$25.00.,for Board consideration.
6. **ACCEPT DONATION** – Enclosed please find a request from the Recreation Director for acceptance of a \$600.00 donation from the Cambridge Savings Bank for use toward the Summer Concert Series at NARA, for Board consideration

7. **ACCEPT DONATION** – Enclosed please find a request from the West Acton Citizens' Library to accept a gift of \$3,625.00 from the Acton Arts league to cover the cost of passes to the Museum of Fine Arts, for the next 7 plus years, for Board consideration.

8. **REQUEST FOR A CAMP SCHOLARSHIP TO NARA CAMP-** Enclosed please find a *CONFIDENTIAL REQUEST* forwarded by the Recreation Director recommending a Camp Scholarship, for Board consideration.

V. TOWN MANAGER'S REPORT

VI. EXECUTIVE SESSION

Not Required

ADDITIONAL INFORMATION

Enclosed please find additional correspondence that is strictly informational and requires no Board action.

FUTURE AGENDAS

To facilitate scheduling for interested parties, the following items are scheduled for discussion on future agendas. This IS NOT a complete Agenda.

April 25, 2005

Selectmen's Minutes
February 28, 2005
7:00 P.M.

Present: F. Dore' Hunter, Peter Ashton, Robert Johnson, Walter Foster, and Trey Shupert. Town Manager and Assistant Town Manager. Meeting was televised.

CITIZEN'S CONCERNS . None

SEWER COMMISSIONER'S REPORT

None Required

PUBLIC HEARINGS & APPOINTMENTS

OPERATIONAL MINUTE – Don Johnson gave an overview of on street parking during the winter months

CLASS II CAR DEALERS NON-DISPLAY LICENSE, JAMES HRYNIEWICH, 171 NEWTOWN ROAD – TREY SHUPERT – Moved to Approve subject to providing a signed affidavit regarding the restrictions on the License. ROBERT JOHNSON - second. UNANIMOUS VOTE

COMMON VICTUALLER'S LICENSE, IL FORNO, INC., 508 NAGOG SQUARE The Board reviewed numerous scenarios regarding the consumption of alcohol and the serious nature of the Board's concern. WALTER FOSTER – Moved to approve the Victualler's license as well as the bringing in of Liquor (BYOB) by patrons to the establishment. BOB JOHNSON – second. UNANIMOUS VOTE

LIFE AFTER NESWC – Peter and Bob briefed the Board on the status of the options the committee is considering, and the probable need for a May Town Meeting.

SELECTMEN'S BUSINESS

FY06 BUDGET/WARRANT DISCUSSION –The Board
The Board reviewed and discussed the warrant and made changes as appropriate.

JULY FOURTH FIREWORKS - The Board discussed the scheduling of the July 4th activities and by consensus approved July 3, with a rain date on the 4th

SPECIAL PERMIT/SITE PLAN, 09/24/04-399, 4 HIGH STREET, FAULKNER MILL REALTY, LLC. – Don updated the Board on the status of capacity expansion of the sewer plant. DORE' HUNTER - Moved to approve – BOB JOHNSON. Second. 4-0 VOTE Peter Ashton, abstaining.

BOARD OF REGISTRAR OF VOTERS APPOINTMENT, KATHERINE F. ARNOLD - PETER ASHTON– Moved to appoint Ms. Arnold. TREY SHUPERT - second - UNANIMOUS VOTE

February 28, 2005
Selectmen's Minutes

MUNICIPAL E-MAIL SHELL POLICY- The Board discussed the recent discussions regarding the Town's E-Mail Shell policy. There could be an automated response that person X is not in the shell. It is suggested but not mandatory to serve on committees. No Town support for re-creation of Email, if you opt out.

TOWN OF ACTON OPEN SPACE AND RECREATION PLAN (OSRP) - PETER ASHTON – Moved to approve. WALTER FOSTER – second. UNANIMOUS VOTE

TOWN MANAGER'S ANNUAL REVIEW- Walter reviewed the Town Manager's review. On the whole the Town is extremely lucky to have a manager of Don's experience and temperament. Don practices a hands-on management style which allows the Board to have complete trust in the information presented to it.

Bob has an issue with workplace place climate - 4 points
PETER ASHTON –Moved to approve. TREY SHUPERT -second - UNANIMOUS VOTE

Dore' asked that Don's contract was extended by one year. TREY SHUPERT – Moved to approve. BOB JOHNSON – second. UNANIMOUS VOTE

Given the financial situation that the Town finds itself in, Walter suggests a 0% increase and a one time bonus of \$1,500. PETER ASHTON – Moved to Approve. BOB JOHNSON – second. UNANIMOUS VOTE

OTHER BUSINESS

Peter discussed the need for a Cable Committee and the conduct of some of the Cable Committee members. Meeting should be scheduled after Town Meeting. Also it should be advertised during Annual Town Meeting.

Walter briefed the Board regarding the Morrison Committee next Meeting March 8, 2005

CONSENT AGENDA

TREY SHUPERT – Moved to Approve. BOB JOHNSON - Second.
UNANIMOUS VOTE

TOWN MANAGER'S REPORT

EXECUTIVE SESSION

Bob Johnson – Moved to go into Executive Session for the purpose of discussing potential litigation, only to return to Regular Session to adjourn. PETER ASHTON - second. Roll Call, All Ayes -

John Murray III
John Murray
Recording Clerk

P. Miller
Clerk
5.9.05
Date

February 25, 2005

TO: Board of Selectmen, Sewer Commissioners

FROM: F. Dore' Hunter, Chairman

SUBJECT: Selectmen and Sewer Commissioners' Report

FEBRUARY 28, 2005

7:00 P.M.

I CITIZENS' CONCERNS

II SEWER COMMISSIONERS' BUSINESS

III PUBLIC HEARINGS & APPOINTMENTS

1. 7:01 **OPERATIONAL MINUTE** – The Town Manager will give the Board a brief update on various topics.
2. 7:15 **CLASS II CAR DEALER'S NON-DISPLAY LICENSE, JAMES HRYNIEWICH, 171 NEWTOWN ROAD, D/B/A WHOLESALE AUTO EXCHANGE** – Enclosed please find materials in the subject regard, for Board consideration.
3. 7:30 **COMMON VICTUALLER LICENSE, IL FORNO'S INC., 508 NAGOG PARK** – Enclosed please find materials in the subject regard, for Board consideration.

IV SELECTMEN'S BUSINESS

4. **FY06 BUDGET/WARRANT DISCUSSION** – Enclosed please find materials in the subject regard, for Board consideration.
5. **BOARD OF REGISTRARS APPOINTMENT, KATHERINE F. ARNOLD** – Enclosed please find materials in the subject regard, for Board consideration.
6. **E-MAIL COMING THROUGH THE TOWN SYSTEM** – The Chairman has asked that this be discussed by the Board of Selectmen.
7. **GEORGIA WHITNEY FUND REQUEST** - Enclosed please find materials in the subject regard, for Board consideration.
8. **TOWN OF ACTON OPEN SPACE AND RECREATION PLAN** – Enclosed please find materials, for Board review and consideration.

9. OTHER BUSINESS

V CONSENT AGENDA

10. **ACCEPT MINUTES, SELECTMEN MEETING OF JANUARY 24, 2005** - Enclosed please find the January 24 Minutes, for Board acceptance.

11. **SITE PLAN SPECIAL PERMIT #11/18/98-366 PHASE II** – Enclosed please find a request from Acton Assisted Living LLC, for a 6 month extension of the permit due to expire July 14, 2005, for Board consideration.

12. **RIVER STREET AGREEMENT – FORT POND BROOK PLACE** – Documents regarding this agreement will be available for Board review and signatures on Monday night.

13. **APPOINTMENT TO THE PLANNING BOARD, RUTH MARTIN** - Enclosed please find a request to have Ms. Martin elevated from Associate member to a Full member to fill the unexpired term left by Mr. Millett's resignation, term to expire 6/30/2009, for Board consideration.

14. **APPOINTMENT AS PLANNING BOARD REPRESENTATIVE TO THE OPEN SPACE AND RECREATION COMMITTEE** – Enclosed please find a request to have Planning Board member Ruth Martin appointed to this committee, for Board consideration.

15. **APPOINTMENT AS W.R. GRACE LIAISON** - Enclosed please find a request from Planning to have Christopher Schaffner appointed as Planning liaison to replace Lauren Rosenzweig, for Board consideration.

VI TOWN MANAGER'S REPORT

VII EXECUTIVE SESSION

. There will be a need for Executive Session. Please see enclosed materials.

ADDITIONAL INFORMATION

Enclosed please find additional correspondence that is strictly informational and requires no Board action.

FUTURE AGENDAS

To facilitate scheduling for interested parties, the following items are scheduled for discussion on future agendas. This IS NOT a complete Agenda.

March 14/28 – Street Acceptances, Dunham Lane,. and Elm @Central, Site Plan continuance, 864 Main Street, LLC

April 4

GOALS 2004-2005

1. Produce Morrison Farm Development Master Plan (Bob/Walter)
2. Improving Inter Board Communication (Dore')

GOALS carried forward

3. Monitor Labor Negotiations (Peter/Trey)
4. Improve Communication with Town Boards (ALL)
5. Revisit 2020 planning process for direction to make this process more beneficial towards implementation of long-term vision, and to get a first rough cut of what happens next year before school is out for the summer (Trey/Peter)
6. ALG process be used for purpose of Budget Planning for FY05 (Dore'/Peter)
7. Process Planning for "Life after NESWC" (Bob)
8. Joint IT process-organizational change (Walter/Dore')
9. Middlesex Pension Alternatives (Walter/Trey)

Selectmen's Minutes
March 14, 2005
7:00 P.M.

Present: F. Dore' Hunter, Peter Ashton, Robert Johnson, Walter Foster, and Trey Shupert Absent. Town Manager and Assistant Town Manager. Meeting was televised.

CITIZEN'S CONCERNS - Mary Michelman – ACES Representative gave the Board an overview of the W.R. Grace site and associated plumes. ACES is concerned about the Feasibility Study. Grace has three options, they could choose the do nothing option, just leave, they could let the plume travel naturally and it would dilute the contamination and third option do natural attenuation and provide treatment on only the south west landfill area with a pump and treat. She thinks Grace should do more and should be putting testing wells on BOC Gas site. She will be speaking with the Water District about the North East area. She asked that the Town have its consultant look at the Feasibility Study submitted by Grace, and provide comments. Don noted that he has been following this and he cannot share publicly the comments, but bottom line is, they are inadequate. Town Counsel, our consultant and Board of Health will meet and continue to review and make comments by the Sept. 2005 Deadline.

SEWER COMMISSIONER'S REPORT

None Required

PUBLIC HEARINGS & APPOINTMENTS

OPERATIONAL MINUTE – Don Johnson gave an overview of the Snow Removal Budget. Gross remaining is \$25,000K and we will need \$50K for sand removal.

STREET ACCEPTANCE HEARING, DUNHAM LANE – A Resident of Dunham Lane was present with several questions about road repair and signage in front of his home. He was referred to Staff for resolution. BOB JOHNSON – Moved to approve. PETER ASHTON – Second. UNANIMOUS 4-0

STREET ACCEPTANCE HEARING, ELM @ CENTRAL STREET – Bruce Stamski said that they will be doing realignment at that intersection and the abutter has donated the land required at no cost. PETER ASHTON – Moved to approve. BOB JOHNSON - Second. UNANIMOUS 4-0

SITE PLAN SPECIAL PERMIT, 12/23/04-400 864 MAIN STREET, LLC. - BOB JOHNSON – Moved to take under advisement. PETER ASHTON – second. UNANIMOUS 4-0

SELECTMEN'S BUSINESS

FY06 BUDGET/WARRANT DISCUSSION – Dore' discussed his email regarding the Planning Board Meeting he attended. He noted that the Board of Selectmen voted against approving the Planning Article regarding the antenna articles.

The Finance Committee approved our budget at the last meeting. Dore' suggested that the Munis document have an announcement about the documents new format.

Peter noted the latest numbers of ALG has now changed. And asked if they wanted them included. Peter asked that we sign off tomorrow at ALG.

Herman Kabakoff, Robin wood Road, and Fin Com member, said that the Chairman of Fin Com. wanted to give a brief comment at Town Meeting on the articles. He asked if he could get staff time to help him so that he would be up to date on the materials.

WOODLANDS AT LAUREL HILL MEMORANDUM OF AGREEMENT – Don gave an overview of the current situation. He is concerned about the unknown with Westford and they were also concerned with what the third party entity may do. PETER ASHTON – Moved to approve this agreement. WALTER FOSTER – second. UNANIMOUS VOTE 4-0

HEALTH INSURANCE TRUST – The Trustees set rates last Friday. The reduction was due to a correction that needed to be made according to our auditor back to 2003 as they may not have been recorded correctly. The Trust said that this put us in a dilemma and required them to cut fairly close. The loss for next year will be putting us in the red by the end of the year. They discussed the appropriate rates to set for next year. They wanted a break even and rates that would allow us to rebuild the trust. The Trustees have taken a two prong approach. The rates will include a 26% increase.

OTHER BUSINESS

Dore' asked about the status of the Lowell Regional Transit Authority (LRTA) and Metropolitan Area Planning Council (MAPC). It was noted that Mr. Herskovitz was out of town. The Board agreed that they would like to have a representative that did not travel as extensively and suggested a member of the TAC be appointed to serve as our Representative to LRTA. Staff has made the appointment with Mr. Draisen for the Board of Selectmen's meeting on the 28th of March.

Walter spoke about the recent CPA meeting that was held and they have asked the proponents be asked to come in to discuss this years requests.

Walter also noted he is serving the Morrison and Sculptural Committees. He asked that we ask if the committees could be publicized at town meeting and extend an invitation to others to come forward and attend the sub-committee meetings. Dore' suggested he speak to the Moderator about the hand out and report to Town Meeting.

Peter Ashton - Spoke about the proposed Special Town Meeting. PETER ASHTON -Moved to hold a June 13th Special Town Meeting to discuss Trash issues, as well as other issues. BOB JOHNSON second. PETER ASHTON, Moved to close the warrant for the June 13th meeting at the end of the Selectmen's meeting this evening. BOB JOHNSON – second. UNANIMOUS 4-0.

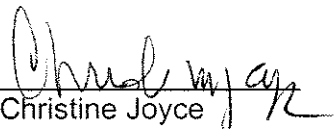
CONSENT AGENDA


Peter questioned the Street Banner question about placing sponsors on the banners. It is for Recreation Use and not business entities. John said they could limit it to municipal events only. The Board agreed.

PETER ASHTON – Moved to approve. – BOB JOHNSON - Second. UNANIMOUS
VOTE

TOWN MANAGER'S REPORT

None Required


Christine Joyce
Recording Clerk


Clerk
5-9-05
Date

March 11, 2005

TO: Board of Selectmen, Sewer Commissioners

FROM: F. Dore' Hunter, Chairman

SUBJECT: Selectmen and Sewer Commissioners' Report

MARCH 14, 2005
7:00 P.M.

I CITIZENS' CONCERNS

II SEWER COMMISSIONERS' BUSINESS

III PUBLIC HEARINGS & APPOINTMENTS

1. 7:01 **OPERATIONAL MINUTE** – The Town Manager will give the Board a brief update on various topics.
2. 7:10 **STREET ACCEPTANCE HEARING, DUNHAM LANE** – Enclosed please find materials in the subject regard, for Board consideration.
3. 7:15 **STREET ACCEPTANCE HEARING, ELM STREET @ CENTRAL STREET** – Enclosed please find materials in the subject regard, for Board consideration.
4. 7:30 **SITE PLAN SPECIAL PERMIT #12/23/04-400, 864 MAIN STREET, LLC.** – Enclosed please find materials in the subject regard, for Board consideration.

IV SELECTMEN'S BUSINESS

5. **FY06 BUDGET/WARRANT DISCUSSION** – Enclosed please find materials in the subject regard, for Board consideration.
6. **WOODLANDS AT LAUREL HILL** – Enclosed please find a Memorandum of Agreement in the subject regard, for Board consideration.
7. **OTHER BUSINESS**

V CONSENT AGENDA

8. **ACCEPT MINUTES**, - Enclosed please find the Selectmen's Minutes of November 1, 2004 and February 7, 2005, for Board acceptance.
9. **STREET BANNER POLICY** – Enclosed please find materials in the subject regard, for Board consideration.

10. **ONE DAY LIQUOR LICENSE, NARA PARK, ACTON FAMILY NETWORK ANNUAL BARBECUE**- Enclosed please find materials in the subject regard, for Board consideration.
11. **ACCEPT GIFTS** – Enclosed please find a request from the Recreation Director to accept the following gifts for funding various summer activities at NARA Park, for Board consideration:

Domino's Pizza	\$2,500
Stow Martial Arts	\$1,000
Learning Express	\$600
Today's Dental	\$200
12. **ACCEPT GIFTS** – Enclosed please find a request from the Recreation Director to accept the gift of a Fitness Versa Ball and a Fleece Blanket from Harvard Pilgrim Health Care, for Board consideration.

VI TOWN MANAGER'S REPORT

VII EXECUTIVE SESSION

ADDITIONAL INFORMATION

Enclosed please find additional correspondence that is strictly informational and requires no Board action.

FUTURE AGENDAS

To facilitate scheduling for interested parties, the following items are scheduled for discussion on future agendas. This IS NOT a complete Agenda.

March 28 – MAKAHA Follow-up, Jazz Café Liquor Violation, Marc Draisen, MAPC
April 4

GOALS 2004-2005

1. Produce Morrison Farm Development Master Plan (Bob/Walter)
2. Improving Inter Board Communication (Dore')

GOALS carried forward

3. Monitor Labor Negotiations (Peter/Trey)
4. Improve Communication with Town Boards (ALL)
5. Revisit 2020 planning process for direction to make this process more beneficial towards implementation of long-term vision, and to get a first rough cut of what happens next year before school is out for the summer (Trey/Peter)
6. ALG process be used for purpose of Budget Planning for FY05 (Dore'/Peter)
7. Process Planning for "Life after NESWC" (Bob)
8. Joint IT process-organizational change (Walter/Dore')
9. Middlesex Pension Alternatives (Walter/Trey)

Selectmen's Minutes

March 28, 2005

7:00 P.M.

Present: F. Dore' Hunter, Peter Ashton, Robert Johnson, Walter Foster, and Trey Shupert
Town Manager and Assistant Town Manager. Meeting was televised.

CITIZENS' CONCERNS

Mr. Connelly, 57 Hosmer Street – Mr. Connelly was concerned about the landfill and potential reuse. He said that DEP informed him that the landfill is closed properly, and will be ok unless it is redeveloped. He asked that the Town not include the related articles on the June 13th Special Town Meeting Warrant.

Tom Michleman, Friends of Bruce Freeman Rail trail – He noted that CPA approved their request for funds and that it is on the warrant. He wanted to have the Trail members directly contact EOTC to move this project along.

SEWER COMMISSIONERS' BUSINESS

SEWER UPDATE REPORT – Steve Barrett's memo updated the Board on several issues. It was noted that we are right in line with projections.

OPERATIONAL MINUTE – The Town Manager will give the Board a brief update on the computer problems. The Dam on Old High Street almost failed over a year ago. The owner is still trying to repair it. Don was concerned and said that it will be monitored.

MAKAHA RESTAURANT LIQUOR VIOLATION FOLLOW-UP MEETING- Atty. Fenniman outlined the contract he has had his client enter into with a monitoring company. The Police Chief feels that this is a good start. Peter said that he was willing to stay the suspension and that the Selectmen accept the agreement. **TREY SHUPERT** – Moved to accept the agreement after Town counsel has reviewed it. **PETER ASHTON** – second. **UNANIMOUS VOTE.**

ACTON JAZZ CAFÉ LIQUOR VIOLATION – Gwenn Vivian, owner and manager was present and brought Shawn, her head bartender who was not at the Café at the time of the incident.

Fred Rentschler noted that the patron from the Café had been charged with 4 prior convictions dating back to 1984. This offense will carry a minimum 2 year sentence to the House of Correction. The police officers on duty that night in their reports indicated the operator was not moving or coming to when they were trying to wake him. The officer finds the operator could not wake up. Once he partially let the window down, a strong odor of alcoholic beverages came from the vehicle. He failed the field sobriety tests. He failed all tests and was taken into custody and Charged with OUI.

The patron was a regular for a couple of months for 3 nights a week. Gwenn hired a new manager and asked him to follow all rules. Unfortunately he did not and she suspects he over served more than that one time. She has let him go and has hired her ex-husband to be the Thursday night Bartender.

Walter expressed his disappointment with them. Peter asked her several questions. He asked if the Bartender is responsible when she is not there. She replied yes.

Dore' felt that a suspension had to be made as this was a very serious situation. Dore' said that the violation should be a three day suspension, and that the suspension will include a Thursday, Friday and Saturday. PETER ASHTON – Moved for 3 day suspension to cover a Thursday, Friday and Saturday. TREY SHUPERT – second. 4-1 BOB JOHNSON, No

MARC DRAISEN, DIRECTOR OF THE METROPOLITAN AREA PLANNING COUNCIL

(MAPC) - Dore' outlined the situation regarding the CPA Fund. Dore' noted that he received a letter from Hopkinton, and asked if MAPC's position had been run through the Executive Board.

Mr. Draisen outlined the MAPC duties and organization. He said that the situation began when some members expressed interest in the surplus fund. It was suggested that we look into the ways to use the surplus funds from CPA. They discussed a few clear ground rules. Regardless of what was taken from the CPA Trust fund they would have to make a local contribution and any monies made available should be used for the three purposes CPA is supposed to fund, according to the rules. They do have a concern about low to moderate communities to address. They have not yet decided what they will do and expect it will be after the first of next year before they can make that decision.

Dore' asked about the relationship of State Aid to moderate income communities and that they may already be receiving a higher amount of State Aid.

Walter Foster noted he sits on the CPA Committee as the Board's representative. They feel it is quite a successful program and they do have a number of concerns. Walter noted that we have put the money up and do we feel that affordable housing, Open Space and Recreation are worth a 1.5% surcharge, the Town said yes.

Trey Shupert thinks that CPA is far reaching and felt communities voted to tax them selves and then the State would reimburse with matching funds. The Law works and Acton will benefit from this. He would like to see more outreach to communities. He noted that Acton is not a wealthy community, but we get less State Aid.

Peter asked about the surplus notion that people are talking about. Mr. Draisen said that Legislative initiatives are about 5 to 10% of their purpose. Peter said that MAPC take no position.

Bob spoke about Hotel and Motel tax and it is a different tax from CPA.

Peter Berry was glad that they were not planning any legislation. Peter asked about the Study Committee and if we would be able to participate. Mr. Draisen said that no one will be excluded.

Tom Michleman – He felt that we should not be supporting the MAPC. He asked if there were another planning organization we could join.

Terra Freidrichs spoke about low and moderate housing and noted that just because the tenants may be moderate income, their landlord's are not and could afford the CPA Tax.

Sue Kennedy asked about the CPA participation in other communities.

Lauren Rosenzweig spoke about the surplus funds. She asked if he thought that surplus funds should be rolled over. Mr. Draisen agrees.

Jim Salem, He worked for the CPA being passed in Acton. He noted it is a trust fund and it will be there and wanted us to stick with it as we have for the last five years.

Ann Forbes spoke about several issues with regard to study committees.

Bill Mullin felt that just by them investigating this will cause a dissolution of this fund. The impact will be on us and freezing our ability to do business.

Mark Wilson from Brookline spoke about a Town like Westford passing on 3% surcharge and they are looking to pay down a 15 year loan with this money. The study might feel it is a bait and switch.

LOCAL INITIATIVE PROGRAM LIP- WESTCHESTER COMPANY, 139 PROSPECT STREET-
Mr. Marsh and his Engineer were present to brief the Board regarding his plans for filing a LIP proposal at 139 Prospect Street.

Nancy Tavernier said that the ACHC had met with them several weeks ago. She said they encourage the use of the Lip Project. She is pleased that some of the concerns that ACHC have been made, and was glad they were choosing the friendly 40 B. She noted that they are on a fast track and will continue to work with them.

Dore' asked about their time frame, they felt six to eight weeks. They have to work out things with Conservation as they require some variances. It is in the Affordable Housing District and they have resolved many of the issues already.

BOSTON EDISON/NSTAR, POLE LOCATIONS HEARING, ELM STREET - Dore' asked that we look into the issue of abandoned poles after Town Meeting. Call Boston Edison and we will re-hear on April 25, at 7:45 p.m.

SELECTMEN'S BUSINESS

TOWN MEETING/BUDGET/WARRANT DISCUSSION – Peter asked if the Moderator was having his pre-meeting meeting. Mr. MacKenzie will be contacting Mr. Hunter.

DEPARTMENTAL FEE REVIEWS – Don outlined how staff applied fees to this review. They are looking at several ways to develop these reviews. PETER ASHTON - Moved to approve the proposed fee schedule in Doug Halley's Memo. TREY SHUPERT – Second. UNANIMOUS VOTE

SOUTH ACTON COMMUTER RAIL TASK FORCE – Dore' spoke about a short term Committee of six months six meetings. Transportation Advisory Committee (TAC) and Planning will be looking at this UNANIMOUS VOTE

WOODLANDS AT LAUREL HILL – Chairman Hunter discussed questions that have arisen with respect to a second access through the Town Forrest. Every one agreed that they do not want to give a right of way through the Town Forest.

LANDFILL DEVELOPMENT – Peter felt we need to have handouts at Town Meeting. Bob will speak briefly. Abutters will come to the meeting. The committee is trying to make a decision on

the two options for trash. There will be a meeting on April 28 to discuss this further. The field house for the meeting about Home Depot will need to be arranged.

Dore'; asked if they felt a Saturday budget Meeting would be required.

John Chalmers of 16 Piper Road, speaking as a citizen briefed the Board on the development agreement with the State and the Town. It was not a written document. Staff will research this and report to the Board. It was noted that the focus is on trash and what to do with the Landfill.

Mr. Connelly of Hosmer Street asked the Board about the conversation he had with DEP and their contention that the Landfill was properly capped and closed. The Board asked that he produce a letter from the people at DEP who gave him this information.

Rich Coleman of 44 Hosmer Street spoke about using funds to cap the landfill for Open Space. Walter said we could not use the funds for this purpose.

Mary Michelman suggested the pay as you throw option.

W.R. GRACE OMNIBUS MEDIATION – The Board needs two selectmen to attend the Mediation. Dore' and Walter will attend.

FRANKLIN PLACE MARKETING AND OUTREACH PLAN – PETER AHSTON – Moved to approve the plan. BOB JOHNSON – second. UNANIMOUS VOTE

OTHER BUSINESS

Dore' briefed the Board on his meeting at Devens with regard to MBTA issues.

Peter asked about the surplus land along Route 2 near Haartz Auto Fabric and Charter Road. Don felt we should get the land for Open Space. The Town Manager will call the State about the acquiring of this parcel.

Walter spoke about Trey's leaving the Board and commended him on his service to the community.

CONSENT AGENDA

Trey noted he cannot vote on the Site Plan as he was not present at all the meetings, so he Abstains. WALTER FOSTER – Moved to approve the Consent Calendar. BOB JOHNSON – second, motions passes with 1 Abstention.

TOWN MANAGER'S REPORT


HIGH STREET SEWER CAPACITY – Don noted that we have a verbal from DEP which gives us 49,000 capacity.

PRE-TOWN MEETING – The Chairman asked that the meeting be posted for 6:30 pm.

EXECUTIVE SESSION

None Required

Christine Joyce


Clerk, Board of Selectmen
Date 3-29-05

March 25, 2005

TO: Board of Selectmen, Sewer Commissioners

FROM: F. Dore' Hunter, Chairman

SUBJECT: Selectmen and Sewer Commissioners' Report

MARCH 28, 2005
7:00 P.M.

I CITIZENS' CONCERNS

II SEWER COMMISSIONERS' BUSINESS

1. **SEWER UPDATE REPORT** – The Town Manager will update the Commissioners on the status of several aspects of the Sewer Project.

III PUBLIC HEARINGS & APPOINTMENTS

2. **7:01 OPERATIONAL MINUTE** – The Town Manager will give the Board a brief update on various topics.
3. **7:10 MAKAHA RESTAURANT LIQUOR VIOLATION FOLLOW-UP MEETING-**
Management of the Makaha, and their Attorney, will be in to discuss actions implemented to resolve the continued violations.
4. **7:20 ACTON JAZZ CAFÉ LIQUOR VIOLATION** – Enclosed please find materials in the subject regard, for Board consideration.
5. **7:45 MARC DRAISEN, DIRECTOR OF THE METROPOLITAN AREA PLANNING COUNCIL (MAPC)** – The Board will discuss issues concerning MAPC's position with respect to Community Preservation Act Funds.
6. **8:15 LOCAL INITIATIVE PROGRAM LIP- WESTCHESTER COMPANY, 139 PROSPECT STREET-** Mr. Marsh will be present to brief the Board regarding his plans for filing a 40B/ LIP proposal at 139 Prospect Street.
7. **8:30 BOSTON EDISON/NSTAR, POLE LOCATIONS HEARING, ELM STREET** – Enclosed please find materials in the subject regard, for Board consideration.

IV SELECTMEN'S BUSINESS

8. **TOWN MEETING/BUDGET/WARRANT DISCUSSION**
9. **DEPARTMENTAL FEE REVIEWS** – Enclosed please find materials in the subject regard, for Board consideration
10. **SOUTH ACTON COMMUTER RAIL TASK FORCE** – Enclosed please find materials in the subject regard, for Board consideration.

11. **WOODLANDS AT LAUREL HILL** – Chairman Hunter will discuss questions that have arisen with respect to a second access through the Town Forrest.
12. **LANDFILL DEVELOPMENT** – Enclosed please find materials in the subject regard, for Board consideration.
13. **W.R. GRACE OMNIBUS MEDIATION** – Enclosed please find Confidential materials in the subject regard.
14. **FRANKLIN PLACE MARKETING AND OUTREACH PLAN** – Enclosed please find materials in the subject regard, including a draft approval letter, for Board consideration.
15. **OTHER BUSINESS**

V CONSENT AGENDA

16. **SITE PLAN SPECIAL PERMIT #12/23/04-400, 864 MAIN STREET, LLC, 864 MAIN STREET** – Enclosed please find a draft decision, for Board consideration.
17. **ACCEPT DONATION** – Enclosed please find a request from the Recreation Director for acceptance of items for the Recreation Department's Family Fitness Project from One Stop Fun in Westford:
 - 1 Hockey Training Certificate valued at \$60.00
 - 1 Free admission certificate valued at \$25.00

18. **ACCEPT DONATION** – Enclosed please find a Thank You note from Mrs. John Forrest transmitting a gift of \$25.00 for use by the Emergency Management Department, for Board consideration.

VI TOWN MANAGER'S REPORT

VII EXECUTIVE SESSION

ADDITIONAL INFORMATION

Enclosed please find additional correspondence that is strictly informational and requires no Board action.

FUTURE AGENDAS

To facilitate scheduling for interested parties, the following items are scheduled for discussion on future agendas. This IS NOT a complete Agenda.

April 4

GOALS 2004-2005

1. Produce Morrison Farm Development Master Plan (Bob/Walter)
2. Improving Inter Board Communication (Dore')

GOALS carried forward

3. Monitor Labor Negotiations (Peter/Trey)
4. Improve Communication with Town Boards (ALL)

5. Revisit 2020 planning process for direction to make this process more beneficial towards implementation of long-term vision, and to get a first rough cut of what happens next year before school is out for the summer (Trey/Peter)
6. ALG process be used for purpose of Budget Planning for FY05 (Dore'/Peter)
7. Process Planning for "Life after NESWC" (Bob)
8. Joint IT process-organizational change (Walter/Dore')
9. Middlesex Pension Alternatives (Walter/Trey)